

MEMORANDUM

June 30, 2020

Subject: Survey of Federal Whistleblower and Employee Protection Statutes

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This memorandum was prepared to enable distribution to more than one congressional office.

This memorandum provides a survey of federal whistleblower and employee protection statutes and the text of such statutes.

In general, whistleblowers are employees who report misconduct or illegal activity committed by their employers. In addition to identifying laws that protect whistleblowers from retaliation, **Table 1** includes employee protection laws that prohibit retaliation against employees who engage in various protected activities, such as participating in an investigation or filing a complaint.

Table 1 contains the popular name of the Act with a whistleblower or employee protection provision, the United States Code or public law citation for the provision, and an excerpt of the text of the provision. In the column noting the name of the Act, if the whistleblower protection provision was added after original enactment, the date it was added is noted in parenthesis. Statutory text determined to be outside the scope of the topic of this memorandum is indicated by ellipses (...) within a cell.

Methodology

CRS identified these statutes by searching various internal CRS products, federal government resources, and by searching the United States Code Service on Lexis Advance and the Statutes-at-Large on ProQuest Congressional for variations of (*whistleblower or (employee w/2 protection) or (((person or employer or employee) /20 (fire or fired or discharg! or discriminat! or demot! or “personnel action”)) /20 (person or employees or applicants))*).

Please note, the United States Code Service is an unofficial version of the United States Code and contains editorial changes by the publishers (e.g., substituting internal references to titles or chapters of an Act for cross-references to other sections of the U.S. Code.) Please see the official version of the United States Code on the House Law Revision Counsel’s website for the exact statutory text.¹

¹ The United States Code is available through the Office of the Law Revision Counsel’s website at <https://uscode.house.gov>.

Limitations

Please note that we did not include provisions where protections under a statute listed in the table were extended to an additional group.² We also did not include provisions addressing whistleblower protections for the intelligence community.³ For the statutory excerpts, we did not include provisions on filing complaints, enforcement, and remedies.

Please be aware that while we made every attempt to be comprehensive in our search and review, some relevant statutes may not have been captured and represented in **Table 1**. For example, due to variations in database search functionalities, other versions of the United States Code may retrieve different results. Also, this survey may not contain very recent laws passed by Congress or provisions in appropriations bills that are not codified.

We hope this information is helpful. Please contact CRS if you need additional information.

² 2 U.S.C. § 1317 extended the prohibition of reprisal under certain acts to employees covered by the Congressional Accountability Act of 1995.

³ For information and additional reading on this topic, please see CRS Report R45345, *Intelligence Community Whistleblower Protections*, by Michael E. DeVine.

Popular Name of Act	Page
Age Discrimination Act of 1967 (ADEA)	5
American Recovery and Reinvestment Act of 2009 (ARRA)	5
Americans with Disabilities Act of 1990 (ADA)	6
Asbestos Hazard Emergency Response Act of 1986 (AHERA)	6
Asbestos School Hazard Detection and Control Act of 1980	6
Civil Rights Act of 1964 (Title VII)	6
Civil Service Reform Act of 1978 (FBI Employee Whistleblower Protections)	7
Clean Air Act (CAA)	7
Commercial Motor Vehicle Safety Act of 1986 (CMVSA)	8
Comprehensive Environmental Response Compensation and Liability Act of 1980	9
Consumer Financial Protection Act of 2010 (CFPA)	9
Consumer Product Safety Act (CPSA)	9
Counterfeit Deterrence Act of 1992	10
Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank)	10
Education for Economic Security Act	15
Employee Polygraph Protection Act of 1988 (EPPA)	15
Employee Retirement Income Security Act of 1974 (ERISA)	15
Energy Reorganization Act of 1974 (ERA)	16
Fair Labor Standards Act of 1938 (FLSA)	16
Family and Medical Leave Act of 1993 (FMLA)	17
FDA Food Safety Modernization Act (FDA Modernization Act)	17
Federal Mine Safety and Health Act of 1977 (FMSHA)	18
Federal Railroad Safety Act of 1970	18
Federal Water Pollution Control Act (Clean Water Act)	20
Homeland Security Act of 2002	20
Inspector General Act of 1978	20
International Safe Container Act (ISCA)	21
Legislative Branch Appropriations Act of 2006	21
Longshore and Harbor Workers' Compensation Act (LHWCA)	21
Migrant and Seasonal Agricultural Worker Protection Act (MSAWPA)	22
Moving Ahead for Progress in the 21st Century Act (MAP-21)	22
National Defense Authorization Act for Fiscal Year 1987	23
National Defense Authorization Act for Fiscal Year 2013	24
National Labor Relations Act (NLRA)	25
National Security Act of 1947	25

National Transit Systems Security Act of 2007 (NTSSA)	26
Occupational Safety and Health Act of 1970 (OSH Act)	27
Patient Protection and Affordable Care Act (ACA)	27
Pipeline Safety Improvement Act of 2002 (PSIA)	28
Safe Drinking Water Act (SDWA)	29
Sarbanes-Oxley Act of 2002 (SOX)	29
Seaman's Protection Act (SPA)	30
Solid Waste Disposal Act (SWDA)	30
Surface Mining Control and Reclamation Act of 1977 (SMCRA)	31
Surface Transportation Assistance Act of 1982	31
Taxpayer First Act (TFA)	32
Toxic Substance Control Act (TSCA)	32
Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)	33
United States-Mexico-Canada Agreement Implementation Act	33
VA Patient Protection Act of 2016	33
Wendell H. Ford Aviation Investment and Reform Act of the 21st Century (AIR21)	34
Whistleblower Protection Act of 1989 (WPA)	35

Table I. Survey of Federal Whistleblower or Employee Protection Statutes

Popular Name of Act	U.S. Code or Public Law Citation	Text of Whistleblower or Employee Protection Provision
Age Discrimination in Employment Act of 1967 (ADEA)	29 U.S.C. § 623(d) (2020).	<p>29 U.S.C § 623. Prohibition of age discrimination.</p> <p>...</p> <p>(d) Opposition to unlawful practices; participation in investigations, proceedings, or litigation. It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member or applicant for membership has opposed any practice made unlawful by this section, or because such individual, member or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this Act.</p> <p>...</p>
American Recovery and Reinvestment Act of 2009 (ARRA)	Pub. L. No. 111-5, § 1553(a), 123 Stat. 297 (2009).	<p>§ 1553. Protecting State and Local Government and Contractor Whistleblowers.</p> <p>(a) Prohibition of Reprisals.—An employee of any non-Federal employer receiving covered funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of—</p> <ul style="list-style-type: none"> (1) gross mismanagement of an agency contract or grant relating to covered funds; (2) a gross waste of covered funds; (3) a substantial and specific danger to public health or safety related to the implementation or use of covered funds;

		<p>(4) an abuse of authority related to the implementation or use of covered funds; or</p> <p>(5) a violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.</p> <p>...</p>
Americans with Disabilities Act of 1990 (ADA)	42 U.S.C. § 12203(a)-(b) (2020).	<p>§ 12203. Prohibition against retaliation and coercion.</p> <p>(a) Retaliation. No person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by this Act or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this Act.</p> <p>(b) Interference, coercion, or intimidation. It shall be unlawful to coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by this Act.</p> <p>...</p>
Asbestos Hazard Emergency Response Act (AHERA)	15 U.S.C. § 2651(a)	<p>§ 2651. Public protection.</p> <p>(a) Public protection. No State or local educational agency may discriminate against a person in any way, including firing a person who is an employee, because the person provided information relating to a potential violation of this title [15 USCS §§ 2641 et seq.] to any other person, including a State or the Federal Government.</p> <p>...</p>
Asbestos School Hazard Detection and Control Act of 1980	20 U.S.C. § 3608 (2020).	<p>§ 3608. Employee protection</p> <p>No State or local educational agency receiving assistance under this Act may discharge any employee or otherwise discriminate against any employee with respect to the employee's compensation, terms, conditions, or privileges of employment because the employee has brought to the attention of the public information concerning any asbestos problem in the school buildings within the jurisdiction of such agency.</p>
Civil Rights Act of 1964 (Title VII)	42 U.S.C. § 2000e-3(a) (2020).	<p>§ 2000e-3. Other unlawful employment practices.</p> <p>(a) Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings. It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made an unlawful employment practice by this title [42 USCS §§ 2000e–2000e-17], or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title [42 USCS §§ 2000e–2000e-17].</p>

		...
Civil Service Reform Act of 1978 (FBI Employee Whistleblower Protections)	5 U.S.C. § 2303(a) (2020).	<p>§ 2303. Prohibited personnel practices in the Federal Bureau of Investigation.</p> <p>(a) Any employee of the Federal Bureau of Investigation who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to an employee in, or applicant for, a position in the Bureau as a reprisal for a disclosure of information—</p> <p>(1) made—</p> <ul style="list-style-type: none"> (A) in the case of an employee, to a supervisor in the direct chain of command of the employee, up to and including the head of the employing agency; (B) to the Inspector General; (C) to the Office of Professional Responsibility of the Department of Justice; (D) to the Office of Professional Responsibility of the Federal Bureau of Investigation; (E) to the Inspection Division of the Federal Bureau of Investigation; (F) as described in section 7211 [5 USCS § 7211]; (G) to the Office of Special Counsel; or (H) to an employee designated by any officer, employee, office, or division described in subparagraphs (A) through (G) for the purpose of receiving such disclosures; and <p>(2) which the employee or applicant reasonably believes evidences—</p> <ul style="list-style-type: none"> (A) any violation of any law, rule, or regulation; or (B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. <p>For the purpose of this subsection, “personnel action” means any action described in clauses (i) through (x) of section 2302(a)(2)(A) of this title [5 USCS § 2302(a)(2)(A)] with respect to an employee in, or applicant for, a position in the Bureau (other than a position of a confidential, policy-determining, policymaking, or policy-advocating character).</p> <p>...</p>
Clean Air Act (CAA) (as amended in 1977)	42 U.S.C. § 7622(a)	<p>§ 7622. Employee protection.</p> <p>(a) Discharge or discrimination prohibited. No employer may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—</p> <p>(1) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this Act or a proceeding for the administration or enforcement of any requirement imposed under this Act or under any applicable implementation plan,</p> <p>(2) testified or is about to testify in any such proceeding, or</p>

		<p>(3) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other action to carry out the purposes of this Act.</p> <p>...</p>
<p>Commercial Motor Vehicle Safety Act of 1986 (CMVSA)</p>	<p>49 U.S.C. § 31105(a) (2020).</p>	<p>§ 31105. Employee protections.</p> <p>(a) Prohibitions.</p> <p>(1) A person may not discharge an employee, or discipline or discriminate against an employee regarding pay, terms, or privileges of employment, because—</p> <p>(A)</p> <ul style="list-style-type: none"> (i) the employee, or another person at the employee's request, has filed a complaint or begun a proceeding related to a violation of a commercial motor vehicle safety or security regulation, standard, or order, or has testified or will testify in such a proceeding; or (ii) the person perceives that the employee has filed or is about to file a complaint or has begun or is about to begin a proceeding related to a violation of a commercial motor vehicle safety or security regulation, standard, or order; <p>(B) the employee refuses to operate a vehicle because—</p> <ul style="list-style-type: none"> (i) the operation violates a regulation, standard, or order of the United States related to commercial motor vehicle safety, health, or security; or (ii) the employee has a reasonable apprehension of serious injury to the employee or the public because of the vehicle's hazardous safety or security condition; <p>(C) the employee accurately reports hours on duty pursuant to chapter 315 [49 USCS §§ 31501 et seq.];</p> <p>(D) the employee cooperates, or the person perceives that the employee is about to cooperate, with a safety or security investigation by the Secretary of Transportation, the Secretary of Homeland Security, or the National Transportation Safety Board; or</p> <p>(E) the employee furnishes, or the person perceives that the employee is or is about to furnish, information to the Secretary of Transportation, the Secretary of Homeland Security, the National Transportation Safety Board, or any Federal, State, or local regulatory or law enforcement agency as to the facts relating to any accident or incident resulting in injury or death to an individual or damage to property occurring in connection with commercial motor vehicle transportation.</p> <p>(2) Under paragraph (1)(B)(ii) of this subsection, an employee's apprehension of serious injury is reasonable only if a reasonable individual in the circumstances then confronting the employee would conclude that the hazardous safety or security condition establishes a real danger of accident, injury, or serious impairment to health. To qualify for protection, the employee must have sought from the employer, and been unable to obtain, correction of the hazardous safety or security condition.</p> <p>...</p>

Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA)	42 U.S.C. § 9610(a) (2020).	<p>§ 9610. Employee protection.</p> <p>(a) Activities of employee subject to protection. No person shall fire or in any other way discriminate against, or cause to be fired or discriminated against, any employee or any authorized representative of employees by reason of the fact that such employee or representative has provided information to a State or to the Federal Government, filed, instituted, or caused to be filed or instituted any proceeding under this Act, or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act.</p> <p>...</p>
Consumer Financial Protection Act of 2010 (CFPA)	12 U.S.C. § 5567(a) (2020).	<p>§ 5567. Employee protection.</p> <p>(a) In general. No covered person or service provider shall terminate or in any other way discriminate against, or cause to be terminated or discriminated against, any covered employee or any authorized representative of covered employees by reason of the fact that such employee or representative, whether at the initiative of the employee or in the ordinary course of the duties of the employee (or any person acting pursuant to a request of the employee), has—</p> <p>(1) provided, caused to be provided, or is about to provide or cause to be provided, information to the employer, the Bureau, or any other State, local, or Federal, government authority or law enforcement agency relating to any violation of, or any act or omission that the employee reasonably believes to be a violation of, any provision of this title or any other provision of law that is subject to the jurisdiction of the Bureau, or any rule, order, standard, or prohibition prescribed by the Bureau;</p> <p>(2) testified or will testify in any proceeding resulting from the administration or enforcement of any provision of this title or any other provision of law that is subject to the jurisdiction of the Bureau, or any rule, order, standard, or prohibition prescribed by the Bureau;</p> <p>(3) filed, instituted, or caused to be filed or instituted any proceeding under any Federal consumer financial law; or</p> <p>(4) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any law, rule, order, standard, or prohibition, subject to the jurisdiction of, or enforceable by, the Bureau.</p> <p>...</p>
Consumer Product Safety Act (CPSA) (as amended in 2008)	15 U.S.C. § 2087(a) (2020).	<p>§ 2087. Whistleblower protection.</p> <p>(a) No manufacturer, private labeler, distributor, or retailer[,] may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee, whether at the employee's initiative or in the ordinary course of the employee's duties (or any person acting pursuant to a request of the employee)—</p> <p>(1) provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of any provision of this Act</p>

		<p>or any other Act enforced by the Commission, or any order, rule, regulation, standard, or ban under any such Acts;</p> <p>(2) testified or is about to testify in a proceeding concerning such violation;</p> <p>(3) assisted or participated or is about to assist or participate in such a proceeding; or</p> <p>(4) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act enforced by the Commission, or any order, rule, regulation, standard, or ban under any such Acts.</p> <p>...</p>
Counterfeit Deterrence Act of 1992	31 U.S.C. § 5328 (2020).	<p>§ 5328. Whistleblower protections</p> <p>(a) Prohibition against discrimination. No financial institution or nonfinancial trade or business may discharge or otherwise discriminate against any employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to the request of the employee) provided information to the Secretary of the Treasury, the Attorney General, or any Federal supervisory agency regarding a possible violation of any provision of this subchapter [31 USCS §§ 5311 et seq.] or section 1956, 1957, or 1960 of title 18, or any regulation under any such provision, by the financial institution or nonfinancial trade or business or any director, officer, or employee of the financial institution or nonfinancial trade or business.</p> <p>...</p>
Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) (2010)	7 U.S.C. § 26(h) (2020).	<p>§ 26. Commodity whistleblower incentives and protection.</p> <p>...</p> <p>(h) Protection of whistleblowers.</p> <p>(1) Prohibition against retaliation.</p> <p>(A) In general. No employer may discharge, demote, suspend, threaten, harass, directly or indirectly, or in any other manner discriminate against, a whistleblower in the terms and conditions of employment because of any lawful act done by the whistleblower—</p> <p>(i) in providing information to the Commission in accordance with subsection (b); or</p> <p>(ii) in assisting in any investigation or judicial or administrative action of the Commission based upon or related to such information.</p> <p>(B) Enforcement.</p> <p>(i) Cause of action. An individual who alleges discharge or other discrimination in violation of subparagraph (A) may bring an action under this subsection in the appropriate district court of the United States for the relief provided in subparagraph (C), unless the individual who is alleging discharge or other discrimination in violation of subparagraph (A) is an employee of the Federal Government, in which case the individual shall only bring an action under section 1221 of title 5, United States Code.</p>

		<p>(ii) Subpoenas. A subpoena requiring the attendance of a witness at a trial or hearing conducted under this subsection may be served at any place in the United States.</p> <p>(iii) Statute of limitations. An action under this subsection may not be brought more than 2 years after the date on which the violation reported in subparagraph (A) is committed.</p> <p>(C) Relief. Relief for an individual prevailing in an action brought under subparagraph (B) shall include—</p> <ul style="list-style-type: none"> (i) reinstatement with the same seniority status that the individual would have had, but for the discrimination; (ii) the amount of back pay otherwise owed to the individual, with interest; and (iii) compensation for any special damages sustained as a result of the discharge or discrimination, including litigation costs, expert witness fees, and reasonable attorney's fees. <p>(2) Confidentiality.</p> <p>(A) In general. Except as provided in subparagraphs (B) and (C), the Commission, and any officer or employee of the Commission, shall not disclose any information, including information provided by a whistleblower to the Commission, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, United States Code, unless and until required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Commission or any entity described in subparagraph (C). For purposes of section 552 of title 5, United States Code, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.</p> <p>(B) Effect. Nothing in this paragraph is intended to limit the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.</p> <p>(C) Availability to government agencies.</p> <ul style="list-style-type: none"> (i) In general. Without the loss of its status as confidential in the hands of the Commission, all information referred to in subparagraph (A) may, in the discretion of the Commission, when determined by the Commission to be necessary or appropriate to accomplish the purposes of this Act and protect customers and in accordance with clause (ii), be made available to— <ul style="list-style-type: none"> (I) the Department of Justice; (II) an appropriate department or agency of the Federal Government, acting within the scope of its jurisdiction; (III) a registered entity, registered futures association, or self-regulatory organization as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); (IV) a State attorney general in connection with any criminal investigation; (V) an appropriate department or agency of any State, acting within the scope of its jurisdiction; and (VI) a foreign futures authority.
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	<p>12 U.S.C. § 5567(a) (2020).</p>	<p>(ii) Maintenance of information. Each of the entities, agencies, or persons described in clause (i) shall maintain information described in that clause as confidential, in accordance with the requirements in subparagraph (A).</p> <p>(iii) Study on impact of FOIA exemption on Commodity Futures Trading Commission.</p> <p>(I) Study. The Inspector General of the Commission shall conduct a study—</p> <p>(aa) on whether the exemption under section 552(b)(3) of title 5, United States Code (known as the Freedom of Information Act) established in paragraph (2)(A) aids whistleblowers in disclosing information to the Commission;</p> <p>(bb) on what impact the exemption has had on the public's ability to access information about the Commission's regulation of commodity futures and option markets; and</p> <p>(cc) to make any recommendations on whether the Commission should continue to use the exemption.</p> <p>(II) Report. Not later than 30 months after the date of enactment of this clause [enacted July 21, 2010], the Inspector General shall—</p> <p>(aa) submit a report on the findings of the study required under this clause to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives; and</p> <p>(bb) make the report available to the public through publication of a report on the website of the Commission.</p> <p>(3) Rights retained. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any Federal or State law, or under any collective bargaining agreement.</p> <p>...</p> <p>§ 5567. Employee protection.</p> <p>(a) In general. No covered person or service provider shall terminate or in any other way discriminate against, or cause to be terminated or discriminated against, any covered employee or any authorized representative of covered employees by reason of the fact that such employee or representative, whether at the initiative of the employee or in the ordinary course of the duties of the employee (or any person acting pursuant to a request of the employee), has—</p> <p>(1) provided, caused to be provided, or is about to provide or cause to be provided, information to the employer, the Bureau, or any other State, local, or Federal, government authority or law enforcement agency relating to any violation of, or any act or omission that the employee reasonably believes to be a violation of, any provision of this title or any other provision of law that is subject to the jurisdiction of the Bureau, or any rule, order, standard, or prohibition prescribed by the Bureau;</p> <p>(2) testified or will testify in any proceeding resulting from the administration or enforcement of any provision of this title or any other provision of law that is subject to the jurisdiction of the Bureau, or any rule, order, standard, or prohibition prescribed by the Bureau;</p>
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	<p>15 U.S.C. § 78u-6(h) (2020).</p>	<p>(3) filed, instituted, or caused to be filed or instituted any proceeding under any Federal consumer financial law; or</p> <p>(4) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any law, rule, order, standard, or prohibition, subject to the jurisdiction of, or enforceable by, the Bureau.</p> <p>...</p> <p>§ 78u-6. Securities whistleblower incentives and protection.</p> <p>...</p> <p>(h) Protection of whistleblowers.</p> <p>(I) Prohibition against retaliation.</p> <p>(A) In general. No employer may discharge, demote, suspend, threaten, harass, directly or indirectly, or in any other manner discriminate against, a whistleblower in the terms and conditions of employment because of any lawful act done by the whistleblower—</p> <ul style="list-style-type: none"> (i) in providing information to the Commission in accordance with this section; (ii) in initiating, testifying in, or assisting in any investigation or judicial or administrative action of the Commission based upon or related to such information; or (iii) in making disclosures that are required or protected under the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.), the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), including section 10A(m) of such Act (15 U.S.C. 78f(m)), section 1513(e) of title 18, United States Code, and any other law, rule, or regulation subject to the jurisdiction of the Commission. <p>(B) Enforcement.</p> <ul style="list-style-type: none"> (i) Cause of action. An individual who alleges discharge or other discrimination in violation of subparagraph (A) may bring an action under this subsection in the appropriate district court of the United States for the relief provided in subparagraph (C). (ii) Subpoenas. A subpoena requiring the attendance of a witness at a trial or hearing conducted under this section may be served at any place in the United States. (iii) Statute of limitations. <ul style="list-style-type: none"> (I) In general. An action under this subsection may not be brought— <ul style="list-style-type: none"> (aa) more than 6 years after the date on which the violation of subparagraph (A) occurred; or (bb) more than 3 years after the date when facts material to the right of action are known or reasonably should have been known by the employee alleging a violation of subparagraph (A). (II) Required action within 10 years. Notwithstanding subclause (I), an action under this subsection may not in any circumstance be brought more than 10 years after the date on which the violation occurs.
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		<p>(C) Relief. Relief for an individual prevailing in an action brought under subparagraph (B) shall include—</p> <ul style="list-style-type: none"> (i) reinstatement with the same seniority status that the individual would have had, but for the discrimination; (ii) 2 times the amount of back pay otherwise owed to the individual, with interest; and (iii) compensation for litigation costs, expert witness fees, and reasonable attorneys' fees. <p>(2) Confidentiality.</p> <p>(A) In general. Except as provided in subparagraphs (B) and (C), the Commission and any officer or employee of the Commission shall not disclose any information, including information provided by a whistleblower to the Commission, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, United States Code, unless and until required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Commission or any entity described in subparagraph (C). For purposes of section 552 of title 5, United States Code, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section.</p> <p>(B) Exempted statute. For purposes of section 552 of title 5, United States Code, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.</p> <p>(C) Rule of construction. Nothing in this section is intended to limit, or shall be construed to limit, the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.</p> <p>(D) Availability to Government agencies.</p> <ul style="list-style-type: none"> (i) In general. Without the loss of its status as confidential in the hands of the Commission, all information referred to in subparagraph (A) may, in the discretion of the Commission, when determined by the Commission to be necessary to accomplish the purposes of this Act and to protect investors, be made available to— <ul style="list-style-type: none"> (I) the Attorney General of the United States; (II) an appropriate regulatory authority; (III) a self-regulatory organization; (IV) a State attorney general in connection with any criminal investigation; (V) any appropriate State regulatory authority; (VI) the Public Company Accounting Oversight Board; (VII) a foreign securities authority; and (VIII) a foreign law enforcement authority. (ii) Confidentiality. <ul style="list-style-type: none"> (I) In general. Each of the entities described in subclauses (I) through (VI) of clause (i) shall maintain such information as confidential in accordance with the requirements established under subparagraph (A).
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		<p>(II) Foreign authorities. Each of the entities described in subclauses (VII) and (VIII) of clause (i) shall maintain such information in accordance with such assurances of confidentiality as the Commission determines appropriate.</p> <p>(3) Rights retained. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any Federal or State law, or under any collective bargaining agreement.</p> <p>...</p>
Education for Economic Security Act (1984)	20 U.S.C. § 4018 (2020).	<p>§ 4018. Employee protection.</p> <p>No State or local educational agency receiving assistance under this title [20 USCS §§ 4011 et seq.] may discharge any employee or otherwise discriminate against any employee with respect to the employee's compensation, terms, conditions, or privileges of employment because the employee has brought to the attention of the public information concerning any asbestos problem in the school buildings within the jurisdiction of such agency.</p>
Employee Polygraph Protection Act of 1988 (EPPA)	29 U.S.C. § 2002(4) (2020).	<p>§ 2002. Prohibitions on lie detector use.</p> <p>Except as provided in sections 7 and 8 [29 USCS §§ 2006, 2007], it shall be unlawful for any employer engaged in or affecting commerce or in the production of goods for commerce—</p> <p>...</p> <p>(4) to discharge, discipline, discriminate against in any manner, or deny employment or promotion to, or threaten to take any such action against, any employee or prospective employee because—</p> <p>(A) such employee or prospective employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act [29 USCS §§ 2001 et seq.],</p> <p>(B) such employee or prospective employee has testified or is about to testify in any such proceeding, or</p> <p>(C) of the exercise by such employee or prospective employee, on behalf of such employee or another person, of any right afforded by this Act [29 USCS §§ 2001 et seq.].</p>
Employee Retirement Income Security Act of 1974 (ERISA)	29 U.S.C. § 1140 (2020).	<p>§ 1140. Interference with protected rights.</p> <p>It shall be unlawful for any person to discharge, fine, suspend, expel, discipline, or discriminate against a participant or beneficiary for exercising any right to which he is entitled under the provisions of an employee benefit plan, this title, section 3001 [29 USCS § 1201], or the Welfare and Pension Plans Disclosure Act, or for the purpose of interfering with the attainment of any right to which such participant may become entitled under the plan, this title, or the Welfare and Pension Plans Disclosure Act. It shall be unlawful for any person to discharge, fine, suspend, expel, or discriminate against any person because he has given information or has testified or is about to testify in any inquiry or proceeding relating to this Act or the Welfare and Pension Plans Disclosure Act. In the case of a multiemployer plan, it shall be unlawful for the plan sponsor or any other person to discriminate against any contributing employer for exercising rights under this Act or for giving information or testifying in any inquiry or</p>

		proceeding relating to this Act before Congress. The provisions of section 502 [29 USCS § 1132] shall be applicable in the enforcement of this section.
Energy Reorganization Act of 1974 (ERA)	42 U.S.C. § 5851(a)(1) (2020).	<p>§ 5851. Employee protection.</p> <p>(a) Discrimination against employee.</p> <p>(1) No employer may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or person acting pursuant to a request of the employee)—</p> <p>(A) notified his employer of an alleged violation of this Act or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);</p> <p>(B) refused to engage in any practice made unlawful by this Act or the Atomic Energy Act of 1954, if the employee has identified the alleged illegality to the employer;</p> <p>(C) testified before Congress or at any Federal or State proceeding regarding any provision (or proposed provision) of this Act or the Atomic Energy Act of 1954;</p> <p>(D) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this Act or the Atomic Energy Act of 1954, as amended, or a proceeding for the administration or enforcement of any requirement imposed under this Act or the Atomic Energy Act of 1954, as amended;</p> <p>(E) testified or is about to testify in any such proceeding or;</p> <p>(F) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other manner in such a proceeding or in any other action to carry out the purposes of this Act or the Atomic Energy Act of 1954, as amended.</p> <p>...</p>
Fair Labor Standards Act of 1938 (FLSA)	29 U.S.C. § 215(a)(3) (2020).	<p>§ 215. Prohibited acts; prima facie evidence.</p> <p>(a) After the expiration of one hundred and twenty days from the date of enactment of this Act [enacted June 25, 1938], it shall be unlawful for any person—</p> <p>...</p> <p>(3) to discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act [29 USCS §§ 201 et seq., generally; for full classification, consult USCS Tables volumes], or has testified or is about to testify in any such proceeding, or has served or is about to serve on an industry committee. [;]</p> <p>...</p>

Family and Medical Leave Act of 1993 (FMLA)	29 U.S.C. § 2615 (2020).	<p>§ 2615. Prohibited acts.</p> <p>(a) Interference with rights.</p> <p>(1) Exercise of rights. It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise, any right provided under this title [29 USCS §§ 2611 et seq.].</p> <p>(2) Discrimination. It shall be unlawful for any employer to discharge or in any other manner discriminate against any individual for opposing any practice made unlawful by this title [29 USCS §§ 2611 et seq.].</p> <p>(b) Interference with proceedings or inquiries. It shall be unlawful for any person to discharge or in any other manner discriminate against any individual because such individual—</p> <p>(1) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this title [29 USCS §§ 2611 et seq.];</p> <p>(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this title [29 USCS §§ 2611 et seq.]; or</p> <p>(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this title [29 USCS §§ 2611 et seq.].</p>
FDA Food Safety Modernization Act (FDA Modernization Act) (2011)	21 U.S.C. § 399d(a) (2020).	<p>§ 399d. Employee protections.</p> <p>(a) In general. No entity engaged in the manufacture, processing, packing, transporting, distribution, reception, holding, or importation of food may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee, whether at the employee's initiative or in the ordinary course of the employee's duties (or any person acting pursuant to a request of the employee)—</p> <p>(1) provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of any provision of this Act [21 USCS §§ 301 et seq.] or any order, rule, regulation, standard, or ban under this Act [21 USCS §§ 301 et seq.], or any order, rule, regulation, standard, or ban under this Act [21 USCS §§ 301 et seq.];</p> <p>(2) testified or is about to testify in a proceeding concerning such violation;</p> <p>(3) assisted or participated or is about to assist or participate in such a proceeding; or</p> <p>(4) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act [21 USCS §§ 301 et seq.], or any order, rule, regulation, standard, or ban under this Act [21 USCS §§ 301 et seq.].</p> <p>...</p>

Federal Mine Safety and Health Act of 1977 (FMSHA)	30 U.S.C. § 815(c)(1) (2020).	<p>§ 815. Procedure for enforcement.</p> <p>...</p> <p>(c) Discrimination or interference prohibited; complaint; investigation; determination; hearing.</p> <p>(1) No person shall discharge or in any manner discriminate against or cause to be discharged or cause discrimination against or otherwise interfere with the exercise of the statutory rights of any miner, representative of miners or applicant for employment in any coal or other mine subject to this Act because such miner, representative of miners or applicant for employment has filed or made a complaint under or related to this Act, including a complaint notifying the operator or the operator's agent, or the representative of the miners at the coal or other mine of an alleged danger or safety or health violation in a coal or other mine, or because such miner, representative of miners or applicant for employment is the subject of medical evaluations and potential transfer under a standard published pursuant to section 101 [30 USCS § 811] or because such miner, representative of miners or applicant for employment has instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any such proceeding, or because of the exercise by such miner, representative of miners or applicant for employment on behalf of himself or others of any statutory right afforded by this Act.</p> <p>...</p>
Federal Railroad Safety Act of 1970 (FRSA) (as amended in 2007)	49 U.S.C. § 20109(a)-(b) (2020).	<p>§ 20109. Employee protections.</p> <p>(a) In general. A railroad carrier engaged in interstate or foreign commerce, a contractor or a subcontractor of such a railroad carrier, or an officer or employee of such a railroad carrier, may not discharge, demote, suspend, reprimand, or in any other way discriminate against an employee if such discrimination is due, in whole or in part, to the employee's lawful, good faith act done, or perceived by the employer to have been done or about to be done—</p> <p>(1) to provide information, directly cause information to be provided, or otherwise directly assist in any investigation regarding any conduct which the employee reasonably believes constitutes a violation of any Federal law, rule, or regulation relating to railroad safety or security, or gross fraud, waste, or abuse of Federal grants or other public funds intended to be used for railroad safety or security, if the information or assistance is provided to or an investigation stemming from the provided information is conducted by—</p> <p>(A) a Federal, State, or local regulatory or law enforcement agency (including an office of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.; Public Law 95-452);</p> <p>(B) any Member of Congress, any committee of Congress, or the Government Accountability Office; or</p> <p>(C) a person with supervisory authority over the employee or such other person who has the authority to investigate, discover, or terminate the misconduct;</p> <p>(2) to refuse to violate or assist in the violation of any Federal law, rule, or regulation relating to railroad safety or security;</p>

		<p>(3) to file a complaint, or directly cause to be brought a proceeding related to the enforcement of this part or, as applicable to railroad safety or security, chapter 51 or 57 of this title [49 USCS §§ 5101 et seq. or 5701 et seq.], or to testify in that proceeding;</p> <p>(4) to notify, or attempt to notify, the railroad carrier or the Secretary of Transportation of a work-related personal injury or work-related illness of an employee;</p> <p>(5) to cooperate with a safety or security investigation by the Secretary of Transportation, the Secretary of Homeland Security, or the National Transportation Safety Board;</p> <p>(6) to furnish information to the Secretary of Transportation, the Secretary of Homeland Security, the National Transportation Safety Board, or any Federal, State, or local regulatory or law enforcement agency as to the facts relating to any accident or incident resulting in injury or death to an individual or damage to property occurring in connection with railroad transportation; or</p> <p>(7) to accurately report hours on duty pursuant to chapter 211 [49 USCS §§ 21101 et seq.].</p> <p>(b) Hazardous safety or security conditions.</p> <p>(1) A railroad carrier engaged in interstate or foreign commerce, or an officer or employee of such a railroad carrier, shall not discharge, demote, suspend, reprimand, or in any other way discriminate against an employee for—</p> <p>(A) reporting, in good faith, a hazardous safety or security condition;</p> <p>(B) refusing to work when confronted by a hazardous safety or security condition related to the performance of the employee's duties, if the conditions described in paragraph (2) exist; or</p> <p>(C) refusing to authorize the use of any safety-related equipment, track, or structures, if the employee is responsible for the inspection or repair of the equipment, track, or structures, when the employee believes that the equipment, track, or structures are in a hazardous safety or security condition, if the conditions described in paragraph (2) exist.</p> <p>(2) A refusal is protected under paragraph (1)(B) and (C) if—</p> <p>(A) the refusal is made in good faith and no reasonable alternative to the refusal is available to the employee;</p> <p>(B) a reasonable individual in the circumstances then confronting the employee would conclude that—</p> <p>(i) the hazardous condition presents an imminent danger of death or serious injury; and</p> <p>(ii) the urgency of the situation does not allow sufficient time to eliminate the danger without such refusal; and</p> <p>(C) the employee, where possible, has notified the railroad carrier of the existence of the hazardous condition and the intention not to perform further work, or not to authorize the use of the hazardous equipment, track, or structures, unless the condition is corrected immediately or the equipment, track, or structures are repaired properly or replaced.</p> <p>(3) In this subsection, only paragraph (1)(A) shall apply to security personnel employed by a railroad carrier to protect individuals and property transported by railroad.</p> <p>...</p>
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Federal Water Pollution Control Act (Clean Water Act) (as amended in 1972)	33 U.S.C. § 1367(a) (2020).	<p>§ 1367. Employee protection.</p> <p>(a) Discrimination against persons filing, instituting, or testifying in proceedings under this chapter prohibited. No person shall fire, or in any other way discriminate against, or cause to be fired or discriminated against, any employee or any authorized representative of employees by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this Act [33 USCS §§ 1251 et seq.], or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act [33 USCS §§ 1251 et seq.].</p> <p>...</p>
Homeland Security Act of 2002	6 U.S.C. § 625(a)(6) (2020). ⁴	<p>§ 625. Whistleblower protections.</p> <p>(a) Procedure for reporting problems.</p> <p>...</p> <p>(6) Retaliation prohibited.</p> <p>(A) In general. An owner or operator of a chemical facility of interest or agent thereof may not discharge an employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).</p> <p>(B) Exception. An employee shall not be entitled to the protections under this section if the employee—</p> <p>(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or</p> <p>(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.</p> <p>...</p>
Inspector General Act of 1978	5 U.S.C. App. § 7 (2020).	<p>§ 7. Complaints by employees; disclosure of identity; reprisals.</p> <p>(a) The Inspector General may receive and investigate complaints or information from an employee of the establishment concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to the public health and safety.</p> <p>(b) The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.</p> <p>(c) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to an Inspector General, unless</p>

⁴ Please note that by the Act of March 27, 2020, Pub. L. No. 116-136, Div. B, Title VI, § 16007, 134 Stat. 546, provides: “The authority provided under title XXI of the Homeland Security Act of 2002 [6 USCS §§ 621 et seq.], as added by section 2(a), shall terminate on July 23, 2020.”.

		the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.
International Safe Container Act (ISCA) (1977)	46 U.S.C. § 80507(a) (2020).	<p>§ 80507. Employee protection.</p> <p>(a) Prohibition. A person may not discharge or discriminate against an employee because the employee has reported the existence of an unsafe container or a violation of this chapter [46 USCS §§ 80501 et seq.] or a regulation prescribed under this chapter [46 USCS §§ 80501 et seq.].</p> <p>...</p>
Legislative Branch Appropriations Act of 2006	2 U.S.C. § 1909(c)(3) (2020).	<p>§ 1909. Inspector General for the United States Capitol Police.</p> <p>...</p> <p>(c) Duties.</p> <p>...</p> <p>(3) Investigations of complaints of employees and members.</p> <p>(A) Authority. The Inspector General may receive and investigate complaints or information from an employee or member of the Capitol Police concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety, including complaints or information the investigation of which is under the jurisdiction of the Internal Affairs Division of the Capitol Police as of the date of the enactment of this Act [enacted Aug. 2, 2005].</p> <p>(B) Nondisclosure. The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless required by law or the Inspector General determines such disclosure is otherwise unavoidable during the course of the investigation.</p> <p>(C) Prohibiting retaliation. An employee or member of the Capitol Police who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.</p> <p>...</p>
Longshore and Harbor Workers' Compensation Act (LHWCA) (1927)	33 U.S.C. § 948a (2020).	§ 948a. Discrimination against employees who bring proceedings; penalties; deposit of payments in special fund; civil actions; entitlement to restoration of employment and compensation, qualifications requirement; liability of employer for penalties and payments; insurance policy exemption from liability.

		<p>It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim compensation from such employer, or because he has testified or is about to testify in a proceeding under this Act. The discharge or refusal to employ a person who has been adjudicated to have filed a fraudulent claim for compensation is not a violation of this section. Any employer who violates this section shall be liable to a penalty of not less than \$1,000 or more than \$5,000, as may be determined by the deputy commissioner. All such penalties shall be paid to the deputy commissioner for deposit in the special fund as described in section 44 [33 USCS § 944], and if not paid may be recovered in a civil action brought in the appropriate United States district court. Any employee so discriminated against shall be restored to his employment and shall be compensated by his employer for any loss of wages arising out of such discrimination: Provided, That if such employee shall cease to be qualified to perform the duties of his employment, he shall not be entitled to such restoration and compensation. The employer alone and not his carrier shall be liable for such penalties and payments. Any provision in an insurance policy undertaking to relieve the employer from the liability for such penalties and payments shall be void.</p>
<p>Migrant and Seasonal Agricultural Worker Protection Act (MSAWPA) (1983)</p>	<p>29 U.S.C. § 1855(a) (2020).</p>	<p>§ 1855. Discrimination prohibited.</p> <p>(a) Prohibited activities. No person shall intimidate, threaten, restrain, coerce, blacklist, discharge, or in any manner discriminate against any migrant or seasonal agricultural worker because such worker has, with just cause, filed any complaint or instituted, or caused to be instituted, any proceeding under or related to this Act, or has testified or is about to testify in any such proceedings, or because of the exercise, with just cause, by such worker on behalf of himself or others of any right or protection afforded by this Act.</p> <p>...</p>
<p>Moving Ahead for Progress in the 21st Century Act (MAP-21) (2012)</p>	<p>49 U.S.C. § 30171(a) (2020).</p>	<p>§ 30171. Protection of employees providing motor vehicle safety information.</p> <p>(a) Discrimination against employees of manufacturers, part suppliers, and dealerships. No motor vehicle manufacturer, part supplier, or dealership may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—</p> <ul style="list-style-type: none"> (1) provided, caused to be provided, or is about to provide (with any knowledge of the employer) or cause to be provided to the employer or the Secretary of Transportation information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter [49 USCS §§ 30101 et seq.]; (2) has filed, caused to be filed, or is about to file (with any knowledge of the employer) or cause to be filed a proceeding relating to any violation or alleged violation of any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter [49 USCS §§ 30101 et seq.]; (3) testified or is about to testify in such a proceeding; (4) assisted or participated or is about to assist or participate in such a proceeding; or

		<p>(5) objected to, or refused to participate in, any activity that the employee reasonably believed to be in violation of any provision of chapter 301 of this title [USCS §§ 30101 et seq.], or any order, rule, regulation, standard, or ban under such provision.</p> <p>...</p>
National Defense Authorization Act for Fiscal Year 1987	10 U.S.C. § 2409(a) (2020).	<p>§ 2409. Contractor employees: protection from reprisal for disclosure of certain information.</p> <p>(a) Prohibition of reprisals.</p> <p>(1) An employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of the following:</p> <p>(A) Gross mismanagement of a Department of Defense contract or grant, a gross waste of Department funds, an abuse of authority relating to a Department contract or grant, or a violation of law, rule, or regulation related to a Department contract (including the competition for or negotiation of a contract) or grant.</p> <p>(B) Gross mismanagement of a National Aeronautics and Space Administration contract or grant, a gross waste of Administration funds, an abuse of authority relating to an Administration contract or grant, or a violation of law, rule, or regulation related to an Administration contract (including the competition for or negotiation of a contract) or grant.</p> <p>(C) A substantial and specific danger to public health or safety.</p> <p>(2) The persons and bodies described in this paragraph are the persons and bodies as follows:</p> <p>(A) A Member of Congress or a representative of a committee of Congress.</p> <p>(B) An Inspector General.</p> <p>(C) The Government Accountability Office.</p> <p>(D) An employee of the Department of Defense or the National Aeronautics and Space Administration, as applicable, responsible for contract oversight or management.</p> <p>(E) An authorized official of the Department of Justice or other law enforcement agency.</p> <p>(F) A court or grand jury.</p> <p>(G) A management official or other employee of the contractor or subcontractor who has the responsibility to investigate, discover, or address misconduct.</p> <p>(3) For the purposes of paragraph (1)—</p> <p>(A) an employee who initiates or provides evidence of contractor or subcontractor misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Department of Defense or National Aeronautics and Space Administration contract or grant shall be deemed to have made a disclosure covered by such paragraph; and</p> <p>(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of a Department or Administration official, unless the request takes the form of a nondiscretionary</p>

		<p>directive and is within the authority of the Department or Administration official making the request.</p> <p>...</p>
<p>National Defense Authorization Act for Fiscal Year 2013 (Enhancement of Contractor Protection from Reprisal)</p>	<p>41 U.S.C. § 4712(a) (2020).</p>	<p>§ 4712. Enhancement of contractor protection from reprisal for disclosure of certain information.</p> <p>(a) Prohibition of reprisals.</p> <p>(1) In general. An employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.</p> <p>(2) Persons and bodies covered. The persons and bodies described in this paragraph are the persons and bodies as follows:</p> <ul style="list-style-type: none"> (A) A Member of Congress or a representative of a committee of Congress. (B) An Inspector General. (C) The Government Accountability Office. (D) A Federal employee responsible for contract or grant oversight or management at the relevant agency. (E) An authorized official of the Department of Justice or other law enforcement agency. (F) A court or grand jury. (G) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct. <p>(3) Rules of construction. For the purposes of paragraph (1)—</p> <ul style="list-style-type: none"> (A) an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure covered by such paragraph; and (B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request. <p>...</p>

National Labor Relations Act (NLRA) (1935)	29 U.S.C. § 158(a)(4) (2020).	<p>§ 158. Unfair labor practices.</p> <p>(a) Unfair labor practices by employer. It shall be an unfair labor practice for an employer—</p> <p>...</p> <p>(4) to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act;</p> <p>...</p>
National Security Act of 1947	50 U.S.C. § 3234(b)-(c) (2020).	<p>§ 3234. Prohibited personnel practices in the intelligence community.</p> <p>...</p> <p>(b) Agency employees. Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of a covered intelligence community element as a reprisal for a lawful disclosure of information by the employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), the Inspector General of the Intelligence Community, the head of the employing agency (or an employee designated by the head of that agency for such purpose), the appropriate inspector general of the employing agency, a congressional intelligence committee, or a member of a congressional intelligence committee, which the employee reasonably believes evidences—</p> <p>(1) a violation of any Federal law, rule, or regulation; or</p> <p>(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.</p> <p>(c) Contractor employees.</p> <p>(1) Any employee of a contractor, subcontractor, grantee, subgrantee, or personal services contractor, of a covered intelligence community element who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any contractor employee as a reprisal for a lawful disclosure of information by the contractor employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), the Inspector General of the Intelligence Community, the head of the contracting agency (or an employee designated by the head of that agency for such purpose), the appropriate inspector general of the contracting agency, a congressional intelligence committee, or a member of a congressional intelligence committee, which the contractor employee reasonably believes evidences—</p> <p>(A) a violation of any Federal law, rule, or regulation (including with respect to evidence of another employee or contractor employee accessing or sharing classified information without authorization); or</p> <p>(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.</p>

		<p>(2) A personnel action under paragraph (1) is prohibited even if the action is undertaken at the request of an agency official, unless the request takes the form of a nondiscretionary directive and is within the authority of the agency official making the request.</p> <p>...</p>
<p>National Transit Systems Security Act of 2007 (NTSSA)</p>	<p>6 U.S.C. § 1142(a) (2020).</p>	<p>§ 1142. Public transportation employee protections.</p> <p>(a) In general. A public transportation agency, a contractor or a subcontractor of such agency, or an officer or employee of such agency, shall not discharge, demote, suspend, reprimand, or in any other way discriminate against an employee if such discrimination is due, in whole or in part, to the employee's lawful, good faith act done, or perceived by the employer to have been done or about to be done—</p> <p>(1) to provide information, directly cause information to be provided, or otherwise directly assist in any investigation regarding any conduct which the employee reasonably believes constitutes a violation of any Federal law, rule, or regulation relating to public transportation safety or security, or fraud, waste, or abuse of Federal grants or other public funds intended to be used for public transportation safety or security, if the information or assistance is provided to or an investigation stemming from the provided information is conducted by—</p> <p>(A) a Federal, State, or local regulatory or law enforcement agency (including an office of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.; Public Law 95-452)[]];</p> <p>(B) any Member of Congress, any Committee of Congress, or the Government Accountability Office; or</p> <p>(C) a person with supervisory authority over the employee or such other person who has the authority to investigate, discover, or terminate the misconduct;</p> <p>(2) to refuse to violate or assist in the violation of any Federal law, rule, or regulation relating to public transportation safety or security;</p> <p>(3) to file a complaint or directly cause to be brought a proceeding related to the enforcement of this section or to testify in that proceeding;</p> <p>(4) to cooperate with a safety or security investigation by the Secretary of Transportation, the Secretary of Homeland Security, or the National Transportation Safety Board; or</p> <p>(5) to furnish information to the Secretary of Transportation, the Secretary of Homeland Security, the National Transportation Safety Board, or any Federal, State, or local regulatory or law enforcement agency as to the facts relating to any accident or incident resulting in injury or death to an individual or damage to property occurring in connection with public transportation.</p> <p>...</p>

Occupational Safety and Health Act of 1970 (OSH Act)	29 U.S.C. § 660(c)(1) (2020).	<p>§ 660. Judicial review.</p> <p>...</p> <p>(c) Discharge or discrimination against employee for exercise of rights under 29 USCS §§ 651 et seq.; prohibition; procedure for relief.</p> <p style="padding-left: 40px;">(1) No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act.</p> <p>...</p>
Patient Protection and Affordable Care Act (ACA) (2010)	<p>29 U.S.C. § 218c(a) (2020).</p> <p>42 U.S.C. § 1320b-25 (2020).</p>	<p>§ 218c. Protections for employees.</p> <p>(a) Prohibition. No employer shall discharge or in any manner discriminate against any employee with respect to his or her compensation, terms, conditions, or other privileges of employment because the employee (or an individual acting at the request of the employee) has—</p> <ol style="list-style-type: none"> (1) received a credit under section 36B of the Internal Revenue Code of 1986 [26 USCS § 36B] or a subsidy under section 1402 of this Act; (2) provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of, any provision of this title (or an amendment made by this title); (3) testified or is about to testify in a proceeding concerning such violation; (4) assisted or participated, or is about to assist or participate, in such a proceeding; or (5) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this title (or amendment), or any order, rule, regulation, standard, or ban under this title (or amendment). <p>...</p> <p>§ 218c. Protections for employees.</p> <p>(a) Prohibition. No employer shall discharge or in any manner discriminate against any employee with respect to his or her compensation, terms, conditions, or other privileges of employment because the employee (or an individual acting at the request of the employee) has—</p> <ol style="list-style-type: none"> (1) received a credit under section 36B of the Internal Revenue Code of 1986 [26 USCS § 36B] or a subsidy under section 1402 of this Act; (2) provided, caused to be provided, or is about to provide or cause to be provided to the employer, the Federal Government, or the attorney general of a State information relating to any violation of, or any act or omission the employee reasonably believes to be a violation of, any provision of this title (or an amendment made by this title);

		<p>(3) testified or is about to testify in a proceeding concerning such violation;</p> <p>(4) assisted or participated, or is about to assist or participate, in such a proceeding; or</p> <p>(5) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this title (or amendment), or any order, rule, regulation, standard, or ban under this title (or amendment).</p> <p>...</p>
Pipeline Safety Improvement Act of 2002 (PSIA)	49 U.S.C. § 60129(a)(1) (2020).	<p>§ 60129. Protection of employees providing pipeline safety information.</p> <p>(a) Discrimination against employee.</p> <p>(1) In general. No employer may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—</p> <p>(A) provided, caused to be provided, or is about to provide or cause to be provided, to the employer or the Federal Government information relating to any violation or alleged violation of any order, regulation, or standard under this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety;</p> <p>(B) refused to engage in any practice made unlawful by this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety, if the employee has identified the alleged illegality to the employer;</p> <p>(C) provided, caused to be provided, or is about to provide or cause to be provided, testimony before Congress or at any Federal or State proceeding regarding any provision (or proposed provision) of this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety;</p> <p>(D) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety, or a proceeding for the administration or enforcement of any requirement imposed under this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety;</p> <p>(E) provided, caused to be provided, or is about to provide or cause to be provided, testimony in any proceeding described in subparagraph (D); or</p> <p>(F) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other manner in such a proceeding or in any other action to carry out the purposes of this chapter [49 USCS §§ 60101 et seq.] or any other Federal law relating to pipeline safety.</p> <p>...</p>

Safe Drinking Water Act (SDWA) (1974)	42 U.S.C. § 300j-9(i)(1) (2020).	<p>§ 300j-9. General provisions.</p> <p>...</p> <p>(i) Discrimination prohibition; filing of complaint; investigation; orders of Secretary; notice and hearing; settlements; attorneys' fees; judicial review; filing of petition; procedural requirements; stay of orders; exclusiveness of remedy; civil actions for enforcement of orders; appropriate relief; mandamus proceedings; prohibition inapplicable to undirected but deliberate violations.</p> <p>(1) No employer may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee) has—</p> <p>(A) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this title [42 USCS §§ 300f et seq.] or a proceeding for the administration or enforcement of drinking water regulations or underground injection control programs of a State,</p> <p>(B) testified or is about to testify in any such proceeding, or</p> <p>(C) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other action to carry out the purposes of this title [42 USCS §§ 300f et seq.].</p> <p>...</p>
Sarbanes-Oxley Act of 2002 (SOX) (2002)	18 U.S.C. § 1514A(a) (2020).	<p>§ 1514A. Civil action to protect against retaliation in fraud cases.</p> <p>(a) Whistleblower protection for employees of publicly traded companies. No company with a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l), or that is required to file reports under section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(d)) including any subsidiary or affiliate whose financial information is included in the consolidated financial statements of such company, or nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c), or any officer, employee, contractor, subcontractor, or agent of such company or nationally recognized statistical rating organization, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee—</p> <p>(1) to provide information, cause information to be provided, or otherwise assist in an investigation regarding any conduct which the employee reasonably believes constitutes a violation of section 1341, 1343, 1344, or 1348 [18 USCS § 1341, 1343, 1344, or 1348], any rule or regulation of the Securities and Exchange Commission, or any provision of Federal law relating to fraud against shareholders, when the information or assistance is provided to or the investigation is conducted by—</p> <p>(A) a Federal regulatory or law enforcement agency;</p> <p>(B) any Member of Congress or any committee of Congress; or</p> <p>(C) a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct); or</p>

		<p>(2) to file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed or about to be filed (with any knowledge of the employer) relating to an alleged violation of section 1341, 1343, 1344, or 1348 [18 USCS § 1341, 1343, 1344, or 1348], any rule or regulation of the Securities and Exchange Commission, or any provision of Federal law relating to fraud against shareholders.</p> <p>...</p>
Seaman's Protection Act (SPA) (as added in the Coast Guard Authorization Act of 1984)	46 U.S.C. § 2114(a)(1) (2020).	<p>§ 2114. Protection of seamen against discrimination.</p> <p>(a)</p> <p>(1) A person may not discharge or in any manner discriminate against a seaman because—</p> <p>(A) the seaman in good faith has reported or is about to report to the Coast Guard or other appropriate Federal agency or department that the seaman believes that a violation of a maritime safety law or regulation prescribed under that law or regulation has occurred;</p> <p>(B) the seaman has refused to perform duties ordered by the seaman's employer because the seaman has a reasonable apprehension or expectation that performing such duties would result in serious injury to the seaman, other seamen, or the public;</p> <p>(C) the seaman testified in a proceeding brought to enforce a maritime safety law or regulation prescribed under that law;</p> <p>(D) the seaman notified, or attempted to notify, the vessel owner or the Secretary of a work-related personal injury or work-related illness of a seaman;</p> <p>(E) the seaman cooperated with a safety investigation by the Secretary or the National Transportation Safety Board;</p> <p>(F) the seaman furnished information to the Secretary, the National Transportation Safety Board, or any other public official as to the facts relating to any marine casualty resulting in injury or death to an individual or damage to property occurring in connection with vessel transportation; or</p> <p>(G) the seaman accurately reported hours of duty under this part [46 USCS §§ 2101 et seq.].</p> <p>...</p>
Solid Waste Disposal Act (SWDA) (as amended in 1976)	42 U.S.C. § 6971(a) (2020).	<p>§ 6971. Employee protection.</p> <p>(a) General. No person shall fire, or in any other way discriminate against, or cause to be fired or discriminated against, any employee or any authorized representative of employees by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this Act [42 USCS §§ 6901 et seq.] or under any applicable implementation plan, or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act [42 USCS §§ 6901 et seq.] or of any applicable implementation plan.</p> <p>...</p>

Surface Mining Control and Reclamation Act of 1977 (SMCRA)	30 U.S.C. § 1293(a) (2020).	<p>§ 1293. Employee protection.</p> <p>(a) Retaliation practices prohibited. No person shall discharge, or in any other way discriminate against, or cause to be fired or discriminated against, any employee or any authorized representative of employees by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this Act [30 USCS §§ 1201 et seq.], or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act [30 USCS §§ 1201 et seq.].</p> <p>...</p>
Surface Transportation Assistance Act of 1982 (STAA)	49 U.S.C. § 31105(a) (2020).	<p>§ 31105. Employee protections.</p> <p>(a) Prohibitions.</p> <p>(1) A person may not discharge an employee, or discipline or discriminate against an employee regarding pay, terms, or privileges of employment, because—</p> <p>(A)</p> <p>(i) the employee, or another person at the employee's request, has filed a complaint or begun a proceeding related to a violation of a commercial motor vehicle safety or security regulation, standard, or order, or has testified or will testify in such a proceeding; or</p> <p>(ii) the person perceives that the employee has filed or is about to file a complaint or has begun or is about to begin a proceeding related to a violation of a commercial motor vehicle safety or security regulation, standard, or order;</p> <p>(B) the employee refuses to operate a vehicle because—</p> <p>(i) the operation violates a regulation, standard, or order of the United States related to commercial motor vehicle safety, health, or security; or</p> <p>(ii) the employee has a reasonable apprehension of serious injury to the employee or the public because of the vehicle's hazardous safety or security condition;</p> <p>(C) the employee accurately reports hours on duty pursuant to chapter 315 [49 USCS §§ 31501 et seq.];</p> <p>(D) the employee cooperates, or the person perceives that the employee is about to cooperate, with a safety or security investigation by the Secretary of Transportation, the Secretary of Homeland Security, or the National Transportation Safety Board; or</p> <p>(E) the employee furnishes, or the person perceives that the employee is or is about to furnish, information to the Secretary of Transportation, the Secretary of Homeland Security, the National Transportation Safety Board, or any Federal, State, or local regulatory or law enforcement agency as to the facts relating to any accident or incident resulting in injury or death to an individual or damage to property occurring in connection with commercial motor vehicle transportation.</p> <p>(2) Under paragraph (1)(B)(ii) of this subsection, an employee's apprehension of serious injury is reasonable only if a reasonable individual in the circumstances then confronting the employee would conclude that the hazardous safety or security condition establishes a real danger of accident, injury,</p>

		<p>or serious impairment to health. To qualify for protection, the employee must have sought from the employer, and been unable to obtain, correction of the hazardous safety or security condition.</p> <p>...</p>
Taxpayer First Act (TFA) (2019)	26 U.S.C. § 7623(d) (2020).	<p>§ 7623. Expenses of detection of underpayments and fraud, etc.</p> <p>(d) Civil action to protect against retaliation cases.</p> <p>(1) Anti-retaliation whistleblower protection for employees. No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee's duties) in reprisal for any lawful act done by the employee—</p> <p>(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of the Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or</p> <p>(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.</p> <p>...</p>
Toxic Substances Control Act (TSCA) (1976)	15 U.S.C. § 2622(a) (2020).	<p>§ 2622. Employee protection.</p> <p>(a) In general. No employer may discharge any employee or otherwise discriminate against any employee with respect to the employee's compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee) has—</p> <p>(1) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this Act [15 USCS §§ 2601 et seq.];</p> <p>(2) testified or is about to testify in any such proceeding; or</p> <p>(3) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other action to carry out the purposes of this Act [15 USCS §§ 2601 et seq.].</p> <p>...</p>

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)	38 U.S.C. § 4311(b) (2020).	<p>§ 4311. Discrimination against persons who serve in the uniformed services and acts of reprisal prohibited.</p> <p>...</p> <p>(b) An employer may not discriminate in employment against or take any adverse employment action against any person because such person (1) has taken an action to enforce a protection afforded any person under this chapter [38 USCS §§ 4301 et seq.], (2) has testified or otherwise made a statement in or in connection with any proceeding under this chapter, (3) has assisted or otherwise participated in an investigation under this chapter [38 USCS §§ 4301 et seq.], or (4) has exercised a right provided for in this chapter [38 USCS §§ 4301 et seq.]. The prohibition in this subsection shall apply with respect to a person regardless of whether that person has performed service in the uniformed services.</p> <p>...</p>
United States-Mexico-Canada Agreement Implementation Act (2020)	19 U.S.C. § 4532(e)(5) (2020).	<p>§ 4532. Special rules for automotive goods.</p> <p>...</p> <p>(e) Verification of labor value content requirements.</p> <p>...</p> <p>(5) Whistleblower protections.</p> <p>(A) Unlawful acts. It is unlawful to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any other manner discriminate against any person for—</p> <p>(i) disclosing information to a Federal agency or to any person relating to a verification under this subsection; or</p> <p>(ii) cooperating or seeking to cooperate in a verification under this subsection.</p> <p>(B) Enforcement. The Secretary of the Treasury and the Secretary of Labor are authorized to take such actions under existing law, including imposing appropriate penalties and seeking appropriate injunctive relief, as may be necessary to ensure compliance with this subsection and as provided for in existing regulations.</p> <p>...</p>
VA Patient Protection Act of 2016	38 U.S.C. § 731(c) (2020).	<p>§ 731. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.</p> <p>...</p> <p>(c) Prohibited personnel action described. A prohibited personnel action described in this subsection is any of the following actions:</p> <p>(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 [5 USCS § 2302] against an employee relating to the employee—</p>

		<p>(A) making a whistleblower disclosure to the Assistant Secretary for Accountability and Whistleblower Protection, the Inspector General of the Department, the Special Counsel, or Congress;</p> <p>(B) providing information or participating as a witness in an investigation of a whistleblower disclosure made to the Assistant Secretary for Accountability and Whistleblower Protection, the Inspector General of the Department, the Special Counsel, or Congress;</p> <p>(C) participating in an audit or investigation by the Comptroller General of the United States;</p> <p>(D) refusing to perform an action that is unlawful or prohibited by the Department; or</p> <p>(E) engaging in communications that are related to the duties of the position or are otherwise protected.</p> <p>(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (E) of paragraph (1).</p> <p>(3) Conducting a negative peer review or opening a retaliatory investigation because of an activity of an employee that is protected by section 2302 of title 5 [5 USCS § 2302].</p> <p>(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41 [41 USCS § 4705(b) or 4712(a)(1)], as the case may be.</p> <p>...</p>
Wendell H. Ford Aviation Investment and Reform Act of the 21st Century (AIR21) (2000)	49 U.S.C. § 42121(a) (2020).	<p>§ 42121. Protection of employees providing air safety information.</p> <p>(a) Discrimination against airline employees. No air carrier or contractor or subcontractor of an air carrier may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—</p> <p>(1) provided, caused to be provided, or is about to provide (with any knowledge of the employer) or cause to be provided to the employer or Federal Government information relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to air carrier safety under this subtitle [49 USCS §§ 40101 et seq.] or any other law of the United States;</p> <p>(2) has filed, caused to be filed, or is about to file (with any knowledge of the employer) or cause to be filed a proceeding relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to air carrier safety under this subtitle [49 USCS §§ 40101 et seq.] or any other law of the United States;</p> <p>(3) testified or is about to testify in such a proceeding; or</p> <p>(4) assisted or participated or is about to assist or participate in such a proceeding.</p> <p>...</p>

<p>Whistleblower Protection Act of 1989 (WPA) (as amended by the Whistleblower Protection Enhancement Act (WPEA) in 2012)</p>	<p>5 U.S.C. § 2302(b)(8)-(9) (2020).</p>	<p>§ 2302. Prohibited personnel practices.</p> <p>...</p> <p>(b) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority—</p> <p>...</p> <p>(8) take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of—</p> <p>(A) any disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences—</p> <p>(i) any violation of any law, rule, or regulation, or</p> <p>(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety,</p> <p>if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs;</p> <p>(B) any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences—</p> <p>(i) any violation (other than a violation of this section) of any law, rule, or regulation, or</p> <p>(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or</p> <p>(C) any disclosure to Congress (including any committee of Congress) by any employee of an agency or applicant for employment at an agency of information described in subparagraph (B) that is—</p> <p>(i) not classified; or</p> <p>(ii) if classified—</p> <p>(I) has been classified by the head of an agency that is not an element of the intelligence community (as defined by section 3 of the National Security Act of 1947 (50 U.S.C. 3003)); and</p> <p>(II) does not reveal intelligence sources and methods.[:]</p> <p>(9) take or fail to take, or threaten to take or fail to take, any personnel action against any employee or applicant for employment because of—</p> <p>(A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation—</p> <p>(i) with regard to remedying a violation of paragraph (8); or</p> <p>(ii) other than with regard to remedying a violation of paragraph (8);</p> <p>(B) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in subparagraph (A) (i) or (ii);</p>
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		<p>(C) cooperating with or disclosing information to the Inspector General (or any other component responsible for internal investigation or review) of an agency, or the Special Counsel, in accordance with applicable provisions of law; or</p> <p>(D) refusing to obey an order that would require the individual to violate a law, rule, or regulation;</p> <p>...</p>
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